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Board Report - May/June

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OMPA is a wholesale power company owned by 42 municipal electric utilities. OMPA provides economies of scale in power generation and related services to support community-owned electric utilities. The members of OMPA serve approximately 250,000 Oklahomans. This publication is issued by OMPA as authorized by the OMPA General Manager. 425 copies have been prepared and distributed at a cost of \$700. [74 O.S. § 3105(B)]

Rider Honor Page 5



outlet

news from your Oklahoma Municipal Power Authority

Taking Over As APPA Chair



Oklahoma Municipal Power Authority General Manager Dave Osburn, right, is handed the gavel as the new Chair of the Board of Directors for the American Public Power Association (APPA) at its national conference in Seattle on June 21. For more, see page 2.

OMPA crew joins Edmond in Light Up Navajo effort

Four members of the Oklahoma Municipal Power Authority's Field Services Department volunteered their efforts to the Light Up the Navajo Nation project for a week in June.

The project is a partnership between the American Public Power Association (APPA) and the Navajo Tribal Utility Authority (NTUA) to bring electric service to the Navajo Nation, which occupies parts of New Mexico, Arizona and Utah. The project began in 2019 and has involved dozens of linecrews

from utilities around the country.

The OMPA employees who assisted with the effort included Anthony Hale, Chris Christensen, Tyler Wolf and Andrew Knutz. A linecrew from Edmond Electric also joined the effort during the same week.

In 2022, 69 lineworkers from 14 different utilities originating from 10 different states participated in the program, connecting 137 homes to the electric grid for the first time.

The Light Up Navajo initiative was a

Continued on Page 6

OMPA General Manager Dave Osburn speaks at nationals as new APPA Chair

Oklahoma Municipal Power Authority (OMPA) General Manager David W. Osburn began his term as Chairman of the Board of Directors for the American Public Power Association (APPA) at the association's national conference in Seattle on June 21.

The Chairman term will last for one year.

The APPA is the national advocacy and advisory group for the nation's 2,000-plus Public Power utilities. Association board members are chosen to represent 10 regions across the country. Osburn was elected to its Board in 2020. He also previously served on the APPA Board of Directors from 2004-2007.

In a release announcing Osburn's appointment, the APPA noted his speech to the national conference attendees:

"Osburn spoke of his relationship with public power, referencing his first position in Crawfordsville, Indiana, as the place where he fell in love with public power. Speaking about his time there, Osburn said, 'I learned what it's like to be part of a community.'

Describing his vision for the coming year as chair, Osburn emphasized the need for public power to 'celebrate the past but focus on the future.' He cited examples of service through innovation at the City of Comanche (900 meters), which installed a DC fast EV charger to demonstrate its commitment to innovation, and Ponca City (16,000 meters), which introduced free citywide WiFi, as well as the Northern California Power Agency, a joint action agency with 14 members, which leveraged an APPA Demonstration of Energy Efficiency and Developments program grant to research green hydrogen production, generation, and storage."

Osburn came to OMPA in 2007, after serving as General Manager of Richmond Power & Light in Indiana. He first was Director of Operations at OMPA, before becoming Assistant General Manager in 2009 and then took over as General Manager in August of 2013.

Osburn has also served on APPA's Executive Committee, Awards Committee, Business Planning Committee, Strategic Planning Committee, CEO Climate Change and Generation Policy Committee. He also serves on the Southwest Power Pool's (SPP) Members Committee.



Attorney generals in some states responding to practices of solar companies

In Brief

- AGs filing lawsuits for various offenses, including savings misrepresentations
- Nine AGs submitted letter to major solar lending companies over underperformance

Report by Utility Dive

Rapidly increasing demand for sustainable energy sources has sparked an explosion of alternative energy companies, especially in the residential solar market. This development has caught both the attention of states' attorneys general and generated several consumer class actions.

In both the regulatory and class contexts, the complaints have typically centered on misrepresentations about the costs and savings benefits afforded by the residential solar power systems for sale and the companies' aggressive sales and marketing tactics in persuading consumers to lease or purchase them. Costs and savings misrepresentations, in particular, have typically spurred the ire of state AGs when solar companies exaggerate their systems' potential to save consumers money, despite financing that may end up costing the consumer more.

Claims around costs and savings have also triggered regulatory scrutiny where solar companies overstated consumers' access to certain solar tax credits or overpromised the impact of those tax credits on consumers' tax bills. These types of complaints can give way to violations of states' unfair and deceptive or abusive practices acts and related common law claims.



Of course, the mode of these sales communications has also drawn heat from state AGs. For instance, practices of going door-to-door and misrepresenting that consumers have signed contracts, following consumers around hardware stores, and robocalling consumers have all found their way into consumer complaints and state AG investigations. These issues and the rising popularity of investment companies using environmentally-focused metrics in financial decision-making will likely increase regulators' scrutiny of the sustainable energy industry.

In November 2022, a coalition of nine AGs, led by Kentucky AG Daniel Cameron, submitted a letter to several solar lending companies, urging them to provide relief to consumers by suspending loan payment obligations and the accrual of interest for customers who financed the purchase of a solar

power system from Pink Energy. The letter details complaints that the systems were either underperforming or non-functioning and that "Pink misrepresented the availability of and/or consumers' eligibility for state or federal tax credits." Thus, it is not just solar companies who may be on the hook when consumers complain of ineffective or costly solar power.

However, most state AGs have focused on solar companies' misrepresentations regarding the availability of financing or government support for residential solar power. In April 2022, the Minnesota AG filed a lawsuit against Utah-based solar companies, lenders and company executives, for telling "consumers they were automatically eligible for tax credits when they weren't . . . [and] [w]

Continued on Page 9

Summer bills showing low energy costs

As you see in this edition, I was recently installed as Chair of the APPA Board. I want to thank the OMPA Board for allowing me the time to serve the larger Public Power community in this way.

What I want to share today is the good news we have had this spring with low-cost power. The energy costs billed from OMPA the first half of this year have been very low. This is a result of

our efficient generation fleet and low natural gas prices.

In addition to having low energy prices the past few months, we were also able to hold back some market revenues to help offset higher prices this summer. We were able to do this in April and May.

We will use these funds to help keep energy prices low this summer. This is one of the many benefits you get by being a member of OMPA.

General Manager's Report

David W. Osburn



Board Reports



Highlights From May 2023 Board of Directors Meeting



- Approved CUP Interim Review Award to Goltry Public Works Authority for two awards valued at 1.5 points
- Approved planning retreat outcome regarding establishing Planning Reserve Margin criteria for OMPA staff
- Approved planning retreat outcome regarding authorization for staff to negotiate terms and enter into a contract for battery storage with Nextera Energy Resources
- Approved planning retreat outcome regarding authorizing staff to proceed with implementation of Bring Your Own Thermostat program
- Approved proposed 2025 gas hedging program
- Approved hiring CEC Engineering to provide services related to the relocation of power lines as part of an ODOT highway project

Highlights From June 2023 Board of Directors Meeting

- Approved CUP Recertification award to Olustee Public Works Authority for two awards valued at 1.5 points
- Accepted adoption of the revised Enterprise Risk Management Plan
- Accepted adoption of revisions to the OMPA Business Plan
- Approved awarding the contract to provide engineering services for the Kaw Rehabilitation Project to Black & Veatch in the not-to-exceed amount of \$1,453,726
- Approved purchase of Redundant Woodward p1020 CPU system from General Electric for Unit 4 in the amount of \$79,097

The next Board of Directors meeting is scheduled to be held at 10 a.m. on July 13 at OMPA offices in Edmond.

Board Recognizes Tom Rider



The Oklahoma Municipal Power Authority Board of Directors read and approved a resolution at the June meeting that recognized the service of Tom Rider, the long-time director for Municipal Services of Oklahoma (MESO) who recently announced his retirement. Rider is pictured at center with OMPA General Manager Dave Osburn and Board Chair Homer Nicholson.

MESO set to offer new training program for apprentice lineworkers this year

Municipal Electric Systems of Oklahoma (MESO) is offering a new training program for apprentice lineworkers.

The MESO Lineworker Apprentice Program offers member utilities the path to advance the careers of their lineworkers to Journeyman status. By enrolling an employee in this program, they will have the opportunity to learn from industry leaders with updated information. Course materials are accessible online from internet connected devices – from a desktop computer to a smart phone.

In partnership with T&D PowerSkills- a widely recognized leader in utility training – and using T&D PowerSkills Learning Management System (LMS) and Training Material, the MESO program allows participants to access course material and take tests online. The LMS



offers the best way for your employees to learn - a delivery model based on adult learning principles.

The MESO Lineworker Apprentice Program is a comprehensive 78-title online video based lineworker training program geared to instruct electric utility lineworkers with up-to-date, safety-related work practices and technical skills related to the installation, maintenance, and removal of transmission and distribution systems.

The training material is broken up into short, digestible sections that reinforce core principles, while consistently teaching students

procedures that adhere to industry best practices. Section quizzes at the end of each major segment ensure that students are engaged and grasping the training material before moving on to the next.

The Field Performance Requirements (FPR) tracking in the LMS combines a student's knowledge-based course work with in-field training so that one informs the other, allowing a holistic view of how a student is performing. The FPR also serves as a documentation tool for skills proficiency relative to the training material.

The MESO program also allows instructors to have access to how students are proceeding through their assigned training material, when due dates are approaching, and how effectively students are grasping the material.

Light Up The Navajo Nation



Light Up Navajo: Continued from Page 1

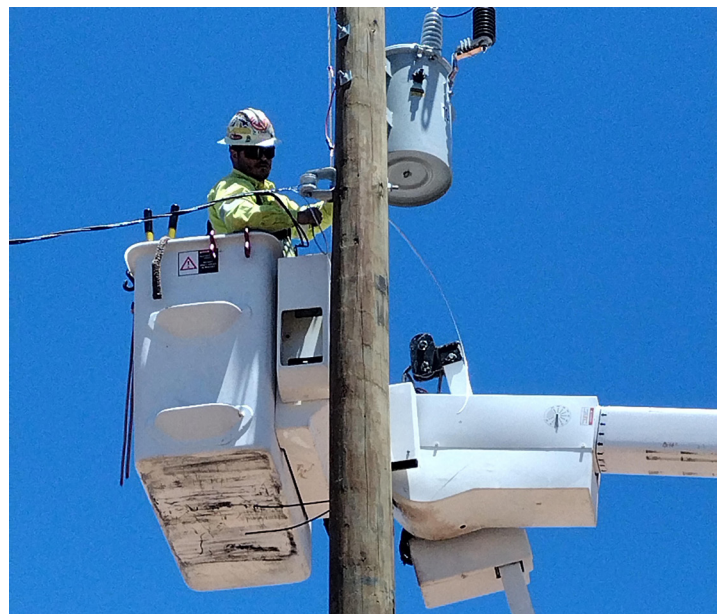
pilot effort in the spring of 2019 which brought together volunteer crews from public power utilities across the country to connect Navajo homes to the grid. In six weeks, the volunteer crews connected more than 230 homes to electricity, reducing the total number of U.S. homes without electricity by one percent.

The typical cost for NTUA to connect a home is \$40,000. NTUA estimates the project costs for the Light Up Navajo Initiative to be \$1.8 million,

which is an average of under \$8,000 per home. The Light Up Navajo approach to rural electrification resulted in a significantly reduced first cost, helping get electricity to more homes at a faster rate.

Over the course of the Light Up Navajo project, people and organizations across the country donated about \$440,000 worth of volunteer time and more than \$272,000, including \$26,000 in individual donations through a GoFundMe page.

The initiative was also supported by a \$125,000 grant from APPA's Demonstration of Energy and Efficiency Developments (DEED) program. The grant funds facilitated advanced feasibility studies, and preliminary meetings on project development, construction strategy, and methods. The studies highlighted the obstacles that the vast remoteness of the Navajo Nation poses to conventional construction techniques.





The helmet sticker worn by members of the OMPA Field Services Department show the various utilities and other groups of linemen who have assisted with the Light Up Navajo project since its inception.



City Update

Gene Brown returns to city government

Former Mayor Gene Brown stepped up to the podium in Duncan Council chambers directly after the meeting opened to lead the group gathered in prayer before he took his oath of office to serve the city's citizens once again.

During his invocation, Brown asked God to watch over the council and support each of the members in making the best decisions possible for the community as a whole.

Following Brown's invocation,



Municipal Judge Joe Eños administered the new Ward 4 leader his swearing in, which was then made official as Brown signed contracts for his oath of office under the direction of City Attorney David Hammond.

Brown was appointed to the position formerly held by Lindsay Hayes, who vacated the seat at the end of March, on Tuesday, May 16 during a special meeting.

He took his official oath of office

and swore into the position during a regular city council meeting on Tuesday, May 23.

Councilman Brown's service to city of Duncan and the Ward 4 area began with a first term in May 1977. His last term concluded in 2015 as acting Mayor.

His new position carries a term lasting until May 2025.

City Manager Kimberly Meek said, "I am looking forward to working with Gene Brown as Ward 4 Councilman and appreciate his continued commitment to our community."

Following his swearing in and signing, Brown took his seat on the council's board once again.

His first Duncan City Council meeting was short and sweet. Only two items were left after he swore in to the position.

City Update

City offering green business certificate

The Edmond Green Business Certificate program is now available to guide and recognize businesses in becoming more sustainable.

"When businesses participate in sustainable initiatives it is mutually beneficial for them and the community in which they are located," said Energy Services Analyst Nicole Koehn. "Not only do sustainable initiatives attract consumers but business owners can realize savings on overhead costs through their conservation efforts, all the while protecting valuable resources."

This FREE and easy-to-understand program was created to help businesses form a partnership with their local municipality by providing



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the following to Edmond businesses:

- Self-audit consultation
- Official city audit which highlights what your business can do to improve efficiency

• Recognition on our city website

- Official framed certificate and window decal to show off your achievement

• Membership in the EGB Hive with other participating businesses

Several community members have already taken the initiative to join this program, including some city facilities. Among the participants are GOLD achievers Autoworks Japanese Car Specialist, Edmond Chamber of Commerce, Edmond Fire Station 2, and the Edmond Water Resources

Facility.

For Sheryl Janis, Autoworks Japanese Car Specialist owner, the program affirmed efforts already in place and motivated her to continue those efforts.

"We wanted to see if we were as efficient as we were trying to be," Janis said.

"This program could help businesses see where they could save money and resources at their current location. For us, it was a good feeling that we had done some things right in our building process and keep doing what we can to be effective and efficient."

When a business chooses to participate, they are assessed in the five categories of energy use, water use, waste minimization, ecological purchasing, and pollution prevention.

There are three checklists that businesses can choose from: Retail/Grocery, Automotive, and Restaurant.

The first step is to fill out the self-audit with the checklist that applies to you and submit it with your registration.

Solar: Continued from Page 3

When consumers tried to get out of these contracts, the companies threatened them with lawsuits and exorbitant termination fees.”

In February 2022, the Idaho AG issued a consumer alert concerning continued consumer complaints about “solar companies’ misleading sales tactics through door-to-door sales and social media advertisements.” These included representations that “consumers will receive government rebates or payments for installing solar systems” and “customers with solar equipment will never pay a power bill again.”

According to Business Insider, online lead generators for solar companies posted ads on social media, like Facebook, “suggest[ing] that certain states are giving away solar panels for free or that utilities will pay customers to put solar panels on their roofs. And nearly all of them stated that there are no out-of-pocket expenses.” At the time, however, those representations were untrue. Touting the availability of tax credits where none exist has led several AGs to file complaints against solar companies.

Misrepresenting savings has also resulted in state AG action and steep remuneration. In January 2020, Vivint Solar entered into a \$1.95 million settlement with the state of New York after allegations surfaced that it had misrepresented the amount of interest consumers would pay over the life of a twenty-year lease on their systems.

Similarly, in March 2018, the New Mexico AG sued Vivint Solar for its claimed unfair and unconscionable business practices around the same 20-year leases. There, the AG accused Vivint of clouding titles to consumers’ homes, fraud and racketeering in connection with its residential solar power purchase agreements and solar equipment. And in March 2023, the Connecticut AG filed a lawsuit against New Jersey based Vision Solar following consumer complaints alleging similar

Solar Policy Assistance

All OMPA members who have customers with solar installations need to have passed an amendment to their contract to allow them to receive excess generation.

OMPA members also must meet monthly reporting requirements on the solar installations in their service territories.

Information on solar can be found on the OMPA website at ompa.com under the “Members Only”

section. It is password-protected and the password can be acquired by contacting someone in Member Services.

Any OMPA members needing assistance with their solar policies or amendments to their contract should contact someone in Member Services. Staff are available to present to city councils, as well as present short training sessions to utility staff to educate them on solar policies.

savings misrepresentations in addition to “high-pressure” sales tactics and “predatory practices.”

However, it is not only the content of sales pitches that can land solar companies in hot water — making inappropriate calls may also lead to trouble. In 2019 Vivint Solar entered into a \$975,000 settlement to resolve Telephone Consumer Protection Act, or TCPA, claims for placing unsolicited robocalls advertising its products and services. SolarCity paid \$15 million in 2018 to resolve similar TCPA claims. More recently, in February 2020, consumers filed a class action against Sunlight Solar based on allegations of similar TCPA violations. Such allegations may not only subject companies to consumer class actions, but also fall within the purview of the Federal Trade Commission.

Given the content and mode of communication, solar companies should beware of more than just state AG oversight. Regulators are already implementing measures to address public concerns and prevent future consumer protection violations in the solar industry. Minnesota, New York, Vermont, New Mexico, Massachusetts, Mississippi and Louisiana have released state-specific guides to help homeowners understand residential solar contract terms and system financing

options. Other states, like Utah and Maryland, have enacted new regulations requiring solar companies to disclose certain details about their systems and transactions during the initial customer interaction.

Solar companies themselves should consider taking steps to avoid potential liability from customer interactions. The Solar Energy Industries Association suggests several ways to do so in its “Solar Business Code.” These include avoiding referring to solar services as “free,” fully disclosing eligibility requirements or qualifications for applicable incentive programs, accounting for all material factors in system production calculations, basing utility price projections on data from an official publicly available source, maintaining and respecting an up-to-date do-not-contact list, and providing consumers with a three-day period to cancel their contracts (as is required by law in certain situations). Other important internal compliance measures might include developing a system to monitor consumer complaints and adopting a standardized grievance procedure.

Proactively implementing similar policies would be a good way for solar companies to improve customer interactions and avoid potential regulatory scrutiny.

City Update

City had prepared for train crisis



City officials say it could have been worse after a train derailed in this small town.

The Union Pacific rail line runs through the east side of town, where about 4,400 people live. On June 2, a series of small brush fires were sparked along the route by the train's axel as it moved south into Stephens County, said City Administrator Jason McPherson. The axel came off just north of Memorial Drive in Marlow, where the train derailed.

Some of the cars that derailed were carrying flour, frack sand and grain, McPherson said. There were some black tank cars that did not spill,

but McPherson said the city hasn't confirmed whether they were carrying any hazardous chemicals.

"I don't want to assume that it's hazardous chemicals, but we know in dealing with Union Pacific that's something they carry," McPherson said. "That's something that we prepare for. That deal in Ohio ... every town that's got a railroad track in it, you're hoping that ain't going to happen to you."

The derailment happened about 170 feet from homes, McPherson estimated. The town is thankful that no one was hurt and no power lines were downed, he said.

There were a total of three crossings

closed right after the accident, but Memorial Drive is the only one that remains closed. Union Pacific told city officials they expected to have the scene cleared in three to four days, McPherson said.

"They have some major equipment down here," McPherson said. "Excavators, crane lifts, a bunch of that. They're currently trying to pick up the pieces."

In his nearly 50 years living in Marlow, McPherson said he couldn't remember a time the train derailed. But it is something the city prepares for through annual emergency training.

"One of the scenarios we work almost every year is a train derailment with hazardous chemicals and it also cuts the town off," McPherson said. "And that's kind of where we were yesterday, the three main crossings were shut down ... it was a little surreal in that respect that we have worked through this exercise before. But fortunately it wasn't to the extent that we had worked."

- *The Daily Oklahoman*

City Update

Community cost of living recognized



The Ponca City Development Authority (PCDA) Board of Trustees heard some good news about the Ponca City economy this week. Among the 271 urban areas that participated in the first quarter of the 2023 Cost of Living Index, Ponca City has ranked in the Top 10 Least Expensive Urban Areas. The Cost of Living Index (COLI) is published quarterly by C2ER – The Council for Community and Economic Research. Ponca City Development Authority (PCDA) staff has been

collecting Cost of Living data three times a year for over 17 years. .

Katherine Long, PCDA's Small Business & Information Coordinator, was enthusiastic on the COLI ranking. "Normally, Ponca City sits at about 86 to 89% of the average cost of living," Long said. "A community with an average cost of living is 100% and cities such as New York can be double that at 222.0% and some communities range lower such as Harlingen, Texas. It is great to see other Oklahoma

communities, Muskogee and Lawton, listed on the Least Expensive side of the percentages."

The Cost of Living Index measures regional differences in the cost of consumer goods and services, excluding taxes and non-consumer expenditures, for professional and managerial households in the top 20 percent for household income. Covering 61 different items, prices are collected quarterly for Ponca City by Ponca City Development Authority. The pricing information provided by COLI does not include the name of the stores and the data collected by staff is not shared with any business competitors.

The composite index is based on six component categories – housing, utilities, grocery items, transportation, health care, and miscellaneous goods and services.

Southwest Power Pool predicts enough generation to meet demand throughout the summer

In Brief

- Likelihood of sufficient resources predicted to be at 99.5 percent
- Factors include historical electricity use, weather forecasts and scheduled outages

Southwest Power Pool (SPP), the grid operator responsible for coordinating electric reliability for a 15-state region in the central U.S., expects to have enough generating capacity to meet the regional demand for electricity through the 2023 summer season.

SPP staff discussed the 2023 Summer Seasonal Assessment during the May 18 Summer 2023 Preparedness Workshop and Emergency Communications User Forum. SPP conducts this assessment each year to identify and mitigate threats to reliability during the summer season lasting from June to September. The analysis considers factors such as historical and predicted future electricity use, weather forecasts, the variability of available wind energy, drought conditions and generation and transmission outages.

The 2023 Summer Seasonal Assessment anticipates normal conditions across the SPP region and shows a 99.5% probability SPP will have sufficient resources available to serve region-wide load during peak hours throughout the summer. Even if peak electricity use exceeds forecasts by as much as 5%, the study still found



a 95% likelihood SPP will maintain resource sufficiency to serve all load. If extreme weather, unexpected outages or other circumstances affect the region, SPP has systems, tools and procedures ready to mitigate risks and maintain electric reliability. Under different scenarios, the grid operator may call on generating units to commit to run earlier or more often than usual, delay planned outages, import energy from neighboring systems or tap into available reserves depending on the severity and duration of a reliability event.

“Ensuring there is enough capacity available to meet the needs of our customers is our most important role as a regional transmission organization, reliability coordinator

and balancing authority for our region,” said Bruce Rew, Senior Vice President of Operations. “While our summer assessment didn’t raise any reliability concerns, we continue to plan for exceptional operational circumstances and work closely with our members to prepare for any possibility. We monitor the grid and make changes as necessary to responsibly and economically keep the lights on.”

If conditions threaten reliability, SPP will communicate with members, stakeholders and the public through the grid notice email distribution list and social media. Current grid conditions can be found at <https://spp.org/markets-operations/current-grid-conditions>.

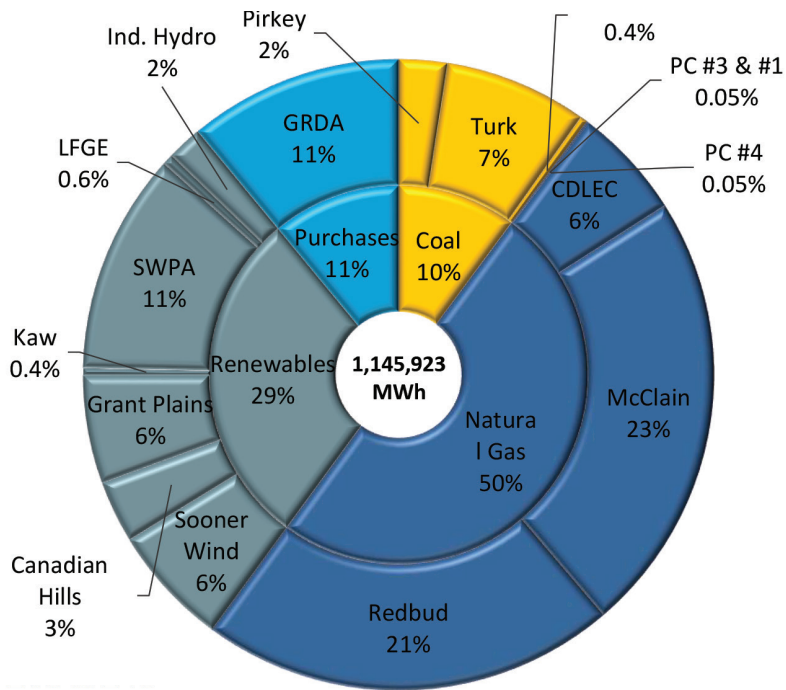


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Generation Mix Through May 2023



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